

**JUN 29 2006**



**BANNER & WITCOFF, LTD.**  
INTELLECTUAL PROPERTY LAW

10 SOUTH WACKER DRIVE, SUITE 3000  
CHICAGO, ILLINOIS 60605

TEL: 312.715.1000  
FAX: 312.715.1234  
www.bannerwitcoff.com

**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b>	<b>FROM:</b>
MAIL STOP AMENDMENT	Scott A. Burow
<b>COMPANY:</b>	<b>DATE:</b>
United States Patent and Trademark Office	June 29, 2006
<b>FAX NO.:</b>	<b>TOTAL NO. OF PAGES:</b> (including cover sheet)
571.273.8300	16
<b>YOUR REFERENCE NO.:</b>	<b>OUR REFERENCE (C/M) NO.:</b>
Application Serial No.: 10/628,320	Atty Docket No.: 005345.00007

**Filing Response to Office Action For U.S. Serial No. 10/628,320**  
**Application of: Luehrsen et al.**  
**Filed: July 28, 2003**  
**Title: Methodology and Apparatus for Storing and Dispensing Liquid**  
**Components to Create Custom Formulations**

<b>NAME:</b>	<b>PHONE:</b>
Aidah Aballah	312-463-5477

**COMMENTS:**

**Important/Confidential:** This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

JUN 29 2006

PTO/SB/17 (12-04v2)

Approved for use through 3/31/2005 OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4018)		Complete if Known	
<b>FEE TRANSMITTAL</b> <b>for FY 2005</b>		Application Number	10/628,320
		Filing Date	July 28, 2003
		First Named Inventor	Robert A. Luehrsen
		Examiner Name	Peter T. DeVore
		Art Unit	3751
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	005345.00007
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b> 200.00	

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
24	-20 or HP= 4	x 50 =	200

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
_____	- 3 or HP= _____	x 200 =	_____

HP = highest number of independent claims paid for, if greater than 3

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x	_____	_____

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : \_\_\_\_\_

## SUBMITTED BY

Signature	<i>Scott A. Burow</i>	Registration No. (Attorney/Agent)	42,373	Telephone	312-463-5000
Name (Print/Type)	Scott A. Burow	Date	June 29, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application for a patent. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FI-ES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BEST AVAILABLE COPY

JUN 29 2006

PTO:58/21 (05-04)

Approved for use through 07/31/2006 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/628,320
	Filing Date	July 28, 2003
	First Named Inventor	Luchrsen et al.
	Art Unit	3751
	Examiner Name	Peter T. DeVore
Total Number of Pages in This Submission	Attorney Docket Number	005345.00007

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile coversheet
<b>Remarks</b> The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature	<i>Scott A. Burow</i>		
Printed Name	Scott A. Burow		
Date	June 29, 2006	Reg. No.	42,373

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>Henry H. H. H.</i>	Date	6.29.06
Typed or printed name	Henry H. H. H.		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

**RECEIVED  
CENTRAL FAX CENTER****JUN 29 2006**Serial No.: 10/628,320  
Response to Office Action mailed April 24, 2006**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Luchsen *et al.*

Serial No.: 10/628,320

Filed: July 28, 2003

For: Methodology and Apparatus for  
Storing and Dispensing Liquid  
Components to Create Custom  
Formulations

Atty. Docket No.: 005345.00007

Group Art Unit: 3751

Examiner: Peter T. DeVore

Confirmation No.:

**RESPONSE TO OFFICE ACTION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This paper is responsive to the Office Action mailed April 24, 2006. Reconsideration of the application is respectfully requested in light of the following:

**Amendments to the Specification** begin on page 2 of this paper**Amendments to the Claims** begin on page 4 of this paper.**Remarks** begin on page 8 of this paper.

07/03/2006 AWONDAF1 00000078 190733 10628320

01 FC:1202 200.00 DA

**BEST AVAILABLE COPY**